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FACSIMILE COVER SHEET

TO: Examiner T. NGUYEN – United States Patent and Trademark Office

CLIENT NAME/NUMBER: 62601

TELEPHONE: 1-571-272-1790

FAX No: 1-703-872-9306

FROM: Christopher F. Regan, Esq.

DATE: September 23, 2004

NUMBER OF PAGES (INCLUDING COVER SHEET): 3

COMMENTS/INSTRUCTIONS:

Please see attached Response to Election Requirement in reply to the Examiner's Election Requirement of August 26, 2004 for U.S. Patent Application Serial No. 10/647,060.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 23 2004

In re Patent Application of:)
MEARS ET AL.) Examiner: T. NGUYEN
)
Serial No. 10/647,060) Art Unit: 2818
)
Confirmation No. 9704) Attorney Docket No. 62601
)
Filing Date: AUGUST 22, 2003)
)
For: SEMICONDUCTOR DEVICE INCLUDING))
BAND-ENGINEERED SUPERLATTICE)
)

RESPONSE TO ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the election requirement of August 26, 2004, Applicants elect specie I as disclosed in Claim 1 for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The claims readable on specie I are Claims 1-71. Independent Claim 1 is generic to all of the claims. If prosecution on the merits can be advanced through a telephonic interview, the Examiner is encouraged to contact the undersigned attorney at the number listed below.

Respectfully submitted,



CHRISTOPHER F. REGAN
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In re Patent Application of:
MEARS ET AL.
Serial No. 10/647,060
Confirmation No. 9704
Filed: AUGUST 22, 2003

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I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 1-703-872-9306 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 23rd day of September, 2004.

